IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4253 OF 2007

Smt. Nagubai S. Mane & Ors. .... Petitioners

Vs.

Dastagir Sikandar Pathan & Ors..... Respondents

Mr. S.G. Deshmukh for the Petitioners

CORAM : A.S. OKA, J.
DATE : 9TH JULY, 2007

P.C.

1) Heard learned Advocate for the Petitioners. The Petitioners are the original plaintiffs. The application for temporary injunction filed by the Petitioners was rejected by the Trial Court and in an appeal, the order of the Trial Court has been confirmed.

2) After hearing the learned counsel appearing for the Petitioners, I find that the Courts below have considered the relevant material on record and have come to the conclusion that the Petitioners have failed to prove prima facie case.

3) No case is made out for interference in the order passed by the Courts below in this Petition under Article 227 of the Constitution of India.

Petition is rejected.

4) The rejection of this petition will not preclude the petitioners from adopting appropriate remedy for correction of the record relating to consolidation proceedings.

5) All contentions of the parties in the pending suit are expressly kept open.

(A.S. OKA, J.)